

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charis Jones	Team: Squad #4	CCRB Case #: 202003911	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/03/2020 9:15 PM, Wednesday, 06/03/2020 9:20 PM	Location of Incident: Cadman Plaza West	Precinct: 84	18 Mo. SOL 12/3/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 06/04/2020 3:14 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 06/04/2020 3:14 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. CCA Jeffrey Maddrey	00000	899501	C A B

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used physical force against § 87(2)(b)	
B. Officers	Discourtesy: Officers spoke discourteously to Individuals.	
C. Officers	Force: Officers struck § 87(2)(b) with a baton.	
D. An officer	Force: An officer struck § 87(2)(b) with a police shield.	
E. An officer	Abuse: An Officer damaged § 87(2)(b)'s property.	
F. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
G. Officers	Force: Officers struck Individuals with batons.	
H. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
I. Officers	Force: Officers struck § 87(2)(b) with a baton.	
J. An officer	Force: An officer used pepper spray against § 87(2)(b)	
K. Officers	Abuse: Officers obstructed their shield numbers.	

Case Summary

On June 4, 2020, § 87(2)(b) and § 87(2)(b) filed this complaint online at the CCRB website.

On June 3, 2020, at approximately 9:15 p.m., § 87(2)(b) and § 87(2)(b) participated in a protest against police brutality in the vicinity of Cadman Plaza West in Brooklyn. During the protest, officers pushed § 87(2)(b) from behind (**Allegation A: Force**, § 87(2)(g)). Unidentified officers told protesters, “Get the fuck back” (**Allegation B: Discourtesy**, § 87(2)(g)). Unidentified officers struck § 87(2)(b) with batons as he attempted to leave the area (**Allegation C: Force**, § 87(2)(g)). An unidentified officer struck § 87(2)(b) with a police shield and he fell to the ground on top of his bicycle (**Allegation D: Force**, § 87(2)(g)). § 87(2)(b)'s fall broke his bicycle wheel (**Allegation E: Abuse of Authority**, § 87(2)(g)). While on the ground an unidentified officer told § 87(2)(b) “Get the fuck up” (**Allegation F: Discourtesy**, § 87(2)(g)). As § 87(2)(b) left the area, he observed unidentified officers hitting protesters with their batons (**Allegation G: Force**, § 87(2)(g)).

On June 3, 2020, at approximately 9:20 p.m., at the same location, § 87(2)(b) attempted to leave the area as well. An unidentified officer told § 87(2)(b) “Move, you fat fuck” (**Allegation H: Discourtesy**, § 87(2)(g)). Unidentified officers struck § 87(2)(b) with their batons from behind (**Allegation I: Force**, § 87(2)(g)). An unidentified officer then pepper-sprayed § 87(2)(b) (**Allegation J: Force**, § 87(2)(g)).

At the same time and the same location, § 87(2)(b) observed that unidentified officers had covered their shields with strips of black tape (**Allegation K: Abuse of Authority**, § 87(2)(g)).

No pertinent arrests were made nor any summonses issued as a result of this incident.

There is no video evidence regarding this incident.

Pleading Language for all allegations to be closed as § 87(2)(g)

Allegation (A) Force: Officers used physical force against § 87(2)(b)
Allegation (B) Discourtesy: Officers spoke discourteously to individuals.
Allegation (C) Force: Officers struck § 87(2)(b) with a baton.
Allegation (D) Force: An officer struck § 87(2)(b) with a police shield.
Allegation (E) Abuse of Authority: An officer damaged § 87(2)(b)'s property.
Allegation (F) Discourtesy: An officer spoke discourteously to § 87(2)(b).
Allegation (G) Force: Officers struck individuals with batons.
Allegation (H) Discourtesy: Officers spoke discourteously to § 87(2)(b).
Allegation (I) Force: Officers struck § 87(2)(b) with batons.
Allegation (J) Force: An officer used pepper spray against § 87(2)(b).
Allegation (K) Abuse of Authority: Officers obstructed their shield numbers.

Known Facts and General Descriptions

§ 87(2)(b) (Board Review 01) testified that he was on the West side of Cadman Plaza with his bicycle and § 87(2)(b) when he observed other protesters run towards Borough Hall. § 87(2)(b) stayed in the area and put his hands up. Officers surrounded the protesters from the northern and western areas of the plaza and pushed the protesters south. § 87(2)(b) turned back towards the direction of the police to find § 87(2)(b). He spotted § 87(2)(b) in the middle of the street near

the police and yelled for him. Officers then pushed § 87(2)(b) multiple times on both arms. Officers yelled, “Get out of here” and “Get the fuck out of here, go home.” § 87(2)(b) felt his body being jabbed by batons and heard officers hitting his bike with batons. § 87(2)(b) waited for § 87(2)(b) before leaving the area. As § 87(2)(b) and § 87(2)(b) were leaving, an unidentified officer hit § 87(2)(b) from the side with his shield. § 87(2)(b) landed on top of his bicycle, breaking the front wheel. The same officer told § 87(2)(b) “Get the fuck out of here... Hurry the fuck up.” § 87(2)(b) stood up and walked in front of Borough Hall with a line of protesters. There was a line of officers that stood in front of Borough Hall and used their batons to jab protesters as they walked by. Once they were out of the crowd, § 87(2)(b) informed § 87(2)(b) that he had been pepper sprayed by an officer.

§ 87(2)(b) could not describe the subject officers of *Allegations A, B, C, and G*. § 87(2)(b) described the subject officer of *Allegations D, E, and F* as a Black male, who was in his early 40’s, stood approximately 6’2” tall, weighed approximately 250 pounds, was clean shaven, with a muscular build, and wore a white shirt.

§ 87(2)(b)’s testimony (Board Review 02) was generally consistent with § 87(2)(b)’s with the exception of his specific interaction with officers. § 87(2)(b) stood on a cement island with his bike as protesters began to leave the area. An officer said to § 87(2)(b) twice, “Move, move, you fat fuck!” Officers behind § 87(2)(b) proceeded to hit him with their batons. Simultaneously, § 87(2)(b) observed officers use their batons against five other protesters who stood in front of him. Other unidentified officers also referred to § 87(2)(b) as a “fat fuck” and ordered him to move. § 87(2)(b) approached Borough Hall and observed officers hover over an unidentified protester on the ground with their batons. § 87(2)(b) told the officers to stop. An officer told § 87(2)(b) to mind his own business. § 87(2)(b) remained near the officers and repeated, “You guys shouldn’t be beating on him like that.” The same officer then lifted his right arm up and deployed pepper spray into § 87(2)(b)’s left eye and cheek area from approximately one yard away.

§ 87(2)(b) could not describe the subject officers of *Allegations G and I*. § 87(2)(b) described one of the subject officers of *Allegation H* as a White or Hispanic male, in his 30’s, who stood approximately 5’10” tall, had a stocky build, dark brown hair, and wore a navy NYPD uniform. § 87(2)(b) could not describe the rest of the subject officers of *Allegation H*. § 87(2)(b) described the subject officer of *Allegation J* as a Hispanic male in uniform with a military haircut and a stocky build.

§ 87(2)(b)’s testimony (Board Review 09) was generally consistent with § 87(2)(b) and § 87(2)(b)’s in regards to the conditions of the protest on June 3, 2020, with the exception of his observation that most of the officers had covered their shields with a strip of black tape. § 87(2)(b) did not know if the officers were covering their names or shield numbers. § 87(2)(b) could not provide physical descriptions of the subject officers of *Allegation K*.

Body Worn Camera

The NYPD Legal Bureau yielded negative results for BWC footage related to this incident. The request asked for all BWC footage related to a protest on “June 3, 2020, at approximately 9:20 p.m. at Cadman Plaza” and involving § 87(2)(b) and § 87(2)(b) Schultz.” The NYPD Legal Bureau stated that an “*Axon search of the time, date, precinct, and TaxID requested with negative results. Google search, social media accounts, SRG, CRC, ESU in addition*” (Board Review 11).

Fourteen additional complaints (CCRB # 202005210, 202004990, 202004772, 202004586, 202004395, 202004165, 202004110, 202004003, 202003966, 202003932, 202003921, 202003901, 202003873, 202005211) that shared the same date, location, and approximate time were filed with

the CCRB. 26 BWC requests were submitted for these complaints, eight of which came back positive. 19 BWC recordings were obtained from these results. None of the videos captured § 87(2)(b) or § 87(2)(b)'s interactions with the officers.

NYPD Documents Reviewed

The investigation obtained the detailed rosters from the 79th and 84th Precincts and Patrol Borough Brooklyn North (30 pages in total) for the protests on June 3, 2020 (Board Review 03).

TARU footage requests were submitted for five complaints that shared the same date, incident location, and approximate time (CCRB # 202004990, 202004003, 202003966, 202003921, and 202003901). All the requests yielded negative results.

Concurrent Investigations

There are no known concurrent investigations regarding this incident.

On November 17, 2020, Sergeant Salvatore Desiano, of the Internal Affairs Bureau (IAB), confirmed that no concurrent investigation exists for this complaint.

Ranking Officers

The detailed rosters revealed that approximately 19 white-shirted and 134 uniformed officers were deployed to various parts of Brooklyn on June 3, 2020. Of the 19 white shirted officers, four of them were Black males, and out of the 134 uniformed officers, 86 were Hispanic or White males (Board Review 04). None of these officers fit the description of the subject officer.

Chief Maddrey, the Chief of the Community Affair Bureau, was identified as the highest-ranking officer at the Cadman Plaza protests on June 3, 2020.

Officers Interviewed

On February 12, 2021, the CCRB interviewed Chief Jeffrey Maddrey (Board Review 12). Chief Maddrey was provided with physical descriptions of § 87(2)(b) and § 87(2)(b) as well as a photo of § 87(2)(b) (Board Review 13). Chief Maddrey did not recognize either civilian based on the information provided. Chief Maddrey did not see officers use any force against either civilian and did not issue any instructions to officers to use force against them. Chief Maddrey did not hear any officers tell any civilians, "Get the fuck out of here" or "Move, move you fat fuck." Chief Maddrey did not see any officer strike civilians with batons or bicycles with batons. Chief Maddrey was shown a photo provided by § 87(2)(b) of an officer in a white shirt, whom § 87(2)(b) identified as the subject officer (Board Review 14). Chief Maddrey did not recognize the depicted officer.

Allegation Recitation and Disposition

§ 87(2)(g)
[REDACTED]

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (Board Review 05).
- This is the first complaint to which § 87(2)(b) has been a party (Board Review 06).

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation due to its association with the 2020 protests against police brutality.
- As of September 21, 2020, the New York City Office of the Comptroller has no record of Notice of Claim being filed in regards to this complaint (Board Review 10) (Board Review 11).
- § 87(2)(b)
- § 87(2)(b)

Squad No.: 4

Investigator: Charis Jones Inv. Charis Jones 02/19/2020
Signature Print Title & Name Date

Squad Leader: Raquel Velasquez IM Raquel Velasquez 02/19/2020
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date